

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,206

IN THE MATTER OF:

Served March 6, 2008

Application of SEYOUM SEMEGNE,)
Trading as NILE TRANSPORTATION, for)
Voluntary Termination of)
Certificate No. 1148)

Case No. AP-2008-022

Case No. MP-2008-039

SEYOUM SEMEGNE, Trading as NILE)
TRANSPORTATION, Suspension and)
Investigation of Revocation of)
Certificate No. 1148)

Certificate No. 1148 was automatically suspended at 12:01 a.m. on February 6, 2008, pursuant to Regulation No. 58-02, for the willful failure of Seyoum Semegne, t/a Nile Transportation, (Nile), to maintain on file with the Commission proof of \$1.5 million in combined-single-limit, motor vehicle liability insurance.

That same morning, the Commission served notice on Nile in Order No. 11,145, that Certificate No. 1148 would be subject to revocation if Nile failed to file the necessary insurance endorsement(s) and pay a \$50 late fee within thirty days. Nile also was directed to file a new tariff because the tariff on file with the Commission was no longer effective. Later that day, Nile filed an application for voluntary termination of Certificate No. 1148.

The Commission may terminate a certificate of authority under Title II of the Compact, Article XI, Section 10(b), upon application by the holder. The Commission will not approve such an application, however, if the carrier is not in good standing.¹

Nile is not in good standing for having failed to pay the \$50 late fee.² Because Nile is not in good standing, we shall deny the application for voluntary termination.³ Because Nile is not in compliance with Commission Regulation No. 58 and has discontinued operating, we shall revoke Certificate No. 1148 pursuant to Article XI, Section 10(c), of the Compact.⁴ The \$50 late fee shall remain due.

¹ *In re Avery Transp., LLC*, AP-07-008, Order No. 10,319 (Mar. 9, 2007).

² *See id.* (same).

³ *See id.* (denying voluntary termination in part because late fee not paid).

⁴ *See In re Coach One, Inc.*, MP-07-097, Order No. 10,492 (May 17, 2007) (same).

THEREFORE, IT IS ORDERED:

1. That Case Nos. AP-08-022 and MP-08-039 are hereby consolidated pursuant to Commission Rule No. 20-02.

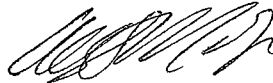
2. That the application of Seyoum Semegne, t/a Nile Transportation, for voluntary termination of Certificate No. 1148 is hereby denied.

3. That Certificate of Authority No. 1148 is hereby revoked.

4. That within 30 days from the date of this order Seyoum Semegne, t/a Nile Transportation, shall:

- a. remove from Nile's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and
- c. surrender Certificate No. 1148 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director